THE HON'BLE MR JUSTICE S.ANANDA REDDY

Writ Petition No.21797 of 2005

Dated 06.10.2005

BETWEEN:

S.Shahool Hameed and others.

…PETITIONERS

and

The Deputy Transport Commissioner, Chittoor and another.

…RESPONDENTS

THE HON'BLE MR JUSTICE S.ANANDA REDDY

Writ Petition No.21797 of 2005

ORDER:

This writ petition is filed by the petitioners seeking writ of Mandamus declaring the action of the first respondent in not considering the applications of the petitioners for grant of South Zone Permits in existing vacancies as arbitrary, illegal, unjust and violation of principles of natural justice and consequently sought for a direction to consider their applications, dated 12.09.2005.

According to the petitioners, they are the owners of registered

taxi cab vehicles bearing Nos.AP-04-V-1173, AP-04-V-0129 and AP-04-V-2027. It is stated that they have been running the above vehicles without any complaint. As they came to know that certain vacancies have arisen in South Zone Permits, they submitted their applications on 09.08.2005 before the first respondent seeking grant of South Zone Permits in the existing vacancies. But, the first respondent returned those applications by proceedings, dated 17.08.2005, directing the petitioners to approach the second respondent for appropriate orders, pursuant to which, the petitioners even approached the second respondent. However, the second respondent refused to receive the applications stating that he has no power to grant South Zone Permits and directed the petitioners to approach the first respondent. In the circumstances, the petitioners have come up with the present writ petition. It is stated that the petitioners have finally submitted their applications on 12.09.2005 before the first respondent which are pending consideration.

Heard the learned counsel for the petitioners and the learned Government Pleader for Transport appearing for the respondents.

In view of the facts stated by the petitioners and the contentions of the learned Government Pleader and as there are no disputes to be adjudicated by this Court, the writ petition is disposed of, at the admission stage, directing the first respondent to pass appropriate orders disposing of the applications of the petitioners in accordance with law. It is made clear that in case the first respondent has no competency to consider the applications of the petitioners, he is directed to forward those applications to the competent authority having jurisdiction to consider the applications of the petitioners for grant of South Zone Permits. The said exercise is directed to be completed within a period of four weeks from the date of receipt of a copy of this order. No costs.

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06.10.2005

Note: Issue CC in two days.

(b/o)

VGB